



AF

IFW 1618

(Substitute) PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number

09/914,544

Filing Date

March 19, 2002

First Named Inventor

Laurent DICOSTANZO, et al

Art Unit

1618

Examiner Name

Simon J. Oh

Attorney Docket Number

C1190/20009

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Receipt Postcard, PTO1449 Form, 7 Foreign Patent Documents and 8 Non Patent Literature Documents
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

Please charge Attorney Account No. 03-0075 as necessary to effect entry and/or ensure consideration of this submission.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd., Customer No. 03000		
Signature			
Printed name	Alan H. Bernstein		
Date	January 4, 2006	Reg. No.	19,315

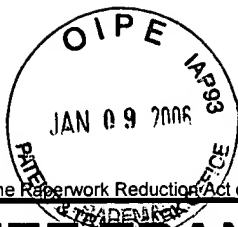
**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Alan H. Bernstein	Date	January 4, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 180.00

**Complete if Known**

Application Number	09/914,544
Filing Date	March 19, 2002
First Named Inventor	Laurent DiCOSTANZO
Examiner Name	Simon J. Oh
Art Unit	1618
Attorney Docket No.	C1190/20009

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
Deposit Account Name


The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ ) 0.00

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent Claims		-20** =		X			
Multiple Dependent Claims		-3** =		X			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ ) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 180.00

**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	Alan H. Bernstein	Registration No. (Attorney/Agent)	19,315	Telephone	215-567-2010
Signature		Date	January 4, 2005		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

Applicant(s): Laurent DiCostanzo

Serial No: 09/914,544

Group Art Unit: 1618

Filed: March 19, 2002

Examiner: Simon J. Oh

Att. Docket No.: C1190/20009

Confirmation No.: 7903

For: **ORALLY DISPERSIBLE TABLET WITH FRIABILITY AND METHOD FOR  
PREPARING SAME**

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. No copies of U.S. patents or U.S. patent application publications are attached. 37 CFR § 1.98(a)(2)(ii). It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. No representation is made that the reference(s) is/are prior art with respect to this application.

This Information Disclosure Statement is being filed after the period specified in 37 CFR § 1.97(b), but before the mailing date of any of a final action under 37 CFR § 1.113, a Notice of Allowance under 37 CFR § 1.311 or an action that otherwise closes prosecution in the application. Authorization to charge the additional fee under 37 CFR §1.17(p) is granted in the attached Fee Transmittal Form.

01/11/2006 RHEBRAHT 00000066 030075 09914544

01 FC:1806 180.00 DA

January 4, 2006

Please charge or credit our Account  
No. 03-0075 as necessary to effect  
entry and/or ensure consideration of  
this submission.

Respectfully submitted,  
CAESAR, RIVISE, BERNSTEIN,  
COHEN & POKOTILOV, LTD.

By

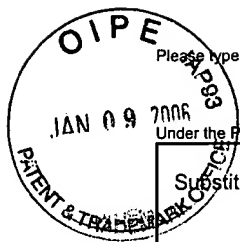
Alan H. Bernstein

Registration No. 19,315

Customer No. 03000

(215) 567-2010

Attorneys for Applicant(s)

Please type a plus sign (+) inside this box ☒

Substitute for PTO/SB/O8A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for Form 1449A/PTO

**SUPPLEMENTAL  
INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheet as necessary)

Complete if Known

Application Number	09/914,544
Filing Date	March 19, 2002
First Named Inventor	Laurent DiCostanzo
Group Art Unit	1615
Examiner Name	Simon J. Oh
Attorney Docket Number	C1190/20009

Sheet	1	of	1
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**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
		4,292,017		DOEPEL	09-29-1981
		4,832,880		STANIFORTH	05-23-1989
		5,017,122		STANIFORTH	05-21-1991
		5,643,630		HINZPETER et al.	07-01-1997

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T
		Office	Number	Kind Code (if known)			
		EP	0 650 826	B1	KLYOSHI et al.	11-02-1994	
		EP	0 914 818	A1	OHTA et al.	05-12-1999	
		EP	0 815 931	B1	KIYOSHI et al.	09-06-2000	
		EP	1 070 497	A1	MORIMOTO et al.	01-24-2001	
		FR	2 679 451	A1	COUSIN et al.	07-22-1991	
		FR	2 766 089	A1	CHAUVEAU et al.	07-21-1997	
		WO	99/04763	A1	CHAUVEAU et al.	07-21-1998	

**OTHER DOCUMENTS - NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
		Remington's Pharmaceutical Sciences, 18 <sup>th</sup> Edition, pages 1639-1640 (1990)	
		Pharmaceutical Dosage Forms, Volume 2, pages 246-247 (1981)	
		Remington's Pharmaceutical Sciences, 18 <sup>th</sup> Edition, pages 1666 - 1669 (1990)	
		Remington's Pharmaceutical Sciences, 18 <sup>th</sup> Edition, page 593 (1990)	
		Aldrich Catalogue, page 1146	
		Abstract of Symposium regarding EP 00 907 743.9 (with translation)	
		Experimental Data regarding EP 00 907 743.9	
		Requete Auxiliaire regarding EP 00 907 743.9	

EXAMINER

DATE CONSIDERED

\*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.